

10/21/2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shunpei Yamazaki, et al. Art Unit : 1792
Serial No. : 09/892,225 Examiner : Mathew J. Song
Filed : June 25, 2001 Conf. No. : 1969
Title : SEMICONDUCTOR DEVICE AND FABRICATION METHOD THEREFOR

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF JULY 9, 2008

Claims 15-19, 29-31, 35, 36, 39-46, 49-54, 57-68, 71-76 and 95-100 are pending in this application, with claims 15, 16, 35, 36, 39 and 40 being independent.

The pending claims have been rejected for obviousness-type double patenting over claims 1-127 of U.S. Patent No. 6,913,956 ("the '956 patent") in view of Burghartz (U.S. Patent No. 5,461,250), over claims 1-70 of U.S. Patent No. 7,115,453 ("the '453 patent") in view of Burghartz, and over claims 1-70 of U.S. Patent No. 7,052,943 ("the '943 patent") in view of Burghartz. Applicants are submitting with this response a terminal disclaimer pursuant to 37 C.F.R. 3.73(b) and 1.321(b). Applicants, therefore, request reconsideration and withdrawal of these rejections.

Applicants submit that all claims are in condition for allowance.

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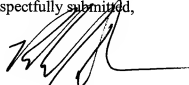
Attorney's Docket No.: 07977-0279001 / US5023/5025

The fees in the amount of \$140 in payment of the terminal disclaimer fee of §1.20(d) are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

10/8/08



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